

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MRS. SARAH M. DAVID-BARLOW; MR.  
CLINTON C. BARLOW,

Plaintiffs,

-against-

N.Y. N.J. MARRIAGE LIC. AGENCY'S, *et*  
*al*,

Defendants.

20-CV-3136 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Clinton C. Barlow and Sarah M. David-Barlow filed this action *pro se* alleging that the temporary closure of the New York City Marriage Bureau during the COVID-19 pandemic violated their constitutional rights. Although Sarah M. David-Barlow is listed as a plaintiff in the caption of the complaint, she did not sign the complaint or submit an application for leave to proceed *in forma pauperis* (IFP). On May 4, 2020, the Court directed Sarah M. Barlow to submit an IFP application and a declaration form establishing her intention to proceed as a plaintiff in this case. Sarah M. David-Barlow did not respond to that order.

On August 3, 2020, the Court dismissed Sarah M. Barlow as a plaintiff, and directed Clinton C. Barlow to notify the Court within thirty days whether he wished to proceed with this action. The Court alerted Clinton C. Barlow that if he failed to comply within the time allowed, and could not show good cause to excuse such failure, the matter would be dismissed without prejudice. Sarah M. Barlow and Clinton C. Barlow have not communicated with the Court since this complaint was filed. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

Clinton C. Barlow has consented to receive electronic service. (ECF 3.)

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: September 4, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge